TRIAL COURT REVERSED IN PINE WOOD SUIT

Circuit Court of Appeals Hands Down Decision in Hutchinson

the District Court at Alexandria.

Judge Woods concurred in the optimion that the Judgment of the lower court should be reversed, but dissented from the conclusion that a provision of the conclusion that a provision of the contract, under which the company was to late out at least 10,000 cords of wood a year, is not severable cords of wood a year, is not severable manded to the trial court for further proceedings.

If you have a severable of the charter reform the rest. The case will be remained to the trial court for further proceedings.

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If you have a severable of the charter reform the rest. The case will be remained to the trial court for further proceedings.

If you have a severable of the abstraction and independence of the session here to-day. The convention was prepared to adjourn late to-night last session here to-day. The convention was prepared to adjourn late to-night limits approving the administration plans for rural credits legislation and a "great merchant marine."

The congress also requested the President and Congress to take steps to guarantee the shipment to tobaccounts of the problem demands.

land in Prince William County, on FALLED TO GRAPPLE ich there was a large quantity of WITH LARGER PROBLEMS is timber. In 1911 he sold the timber. "In somewhat the same manner, I

t the end of three years. Hutchin- trivial amendments. We have fallen brought suit, alleging failure of far short of performing the important company to cut 10,000 cords in task that was intrusted to us,

executory. That there was an inicident and uncertain amount of wood specified for which Hutchisson would receive payment on a stumpage basis. That it was not a sale of standing times. ner for which the seller would re-ceive a definite amount but that it was a deal by which he would receive com. SAVS BANKER MEMBERS ceive a definite amount but a deal by which he would receive compensation dependent upon the company's future operations. It also held that the clause providing for the cutapointed with the work of the computer, "White Mr. Bemiss appears to be disappointed with the work of the computer," he said, "there are some members of the committee who own to a description of the committee of the committee who own to a description of the committee who own to a description of the committee of the committee who own to a description of the committee who own to a description of the committee of the committee who own the committee of the committee of

The court points out that the plain-

It is the opinion of the court, however, that Mutchinson may recover for the injured wood. On this point it has this to say: "But we hold that the plaintiff may recover for all wood actually cut before the suit was communicated and not removed within a reasonable time to the railroad station. At this point avose City Attorney and that there was evidence upon this Pollard with a heart full of Attorney of Philadelphia.

COTTON-GROWING STATES GIVE MORE AREA TO WHEAT

the charter commission plan to credit the committee with having acquitted itself of the task imposed upon it in a reasonably satisfactor manner. The life tenure budget reform and folce. Health and Fire Department transfe amendments, it was pointed out are at least radical changes from the pressure at least at least radical changes from the pressure at least fro

For a stormy half-hour boxever the committees record in dealing with the charter reform task entrusted to it was under stern review. It happened when the committee towards the indicate when the committee towards the middie of its session was debating whether
it should adopt Mr. Meredith's suggestion that the charter commission he
appointed by the judge of the Hustings
Court, or reject that plan and adopt the
Civic Association's scheme providing.

for the election of the commission by C

Charles V. Meredith spoke at length Charles V. Meredith spoke at length in favor of appointment by the Hustings Court. In selecting the judge of the Hustings Court for this duty, he said, he had in mind the fact that this judge is nearer to city and its moblems than any of the other city judges. who are concerned more exclusively with the business of their courts.

REMISS DELIVERS HIS THIRD PHILIPPIC ACTION PREMATURELY BROUGHT

Of the citizens' representation, the text for the third of a series of gentle philippics against the committee on the Amount Operates as Waiver and Estops Plaintiff From Recovery for Nonobservance of Contract.

Second of its failure to live up to the record expected of it. Unlike Mr. Meredith, he feared that the close relationship of the Judge of the liustings The United States Circuit Court of detract from, instead of enhance, Appeals, in an opinion handed down yesterday by Judge Knapp, held that the suit for damages brought by H. B. commission.

the suit for damages brought by H. B. Hutchinson, of Prince William County, against the New York and Pennsylvania (Company, pulp wood manufacturers, in incompetency to deal with the task which it was alleged that the company to the principle of the company of t that was intrusted to this committee ganizing a committee to present to so the fact that failed to live up to its consistency brought and must be maintained in-so-far as it based upon a majority of the counts, and the count was a respect of Judge Edmund Waddill. It is members do not possess the abstraction and independence of the count was a respect to the fact that its members are so closely connected with and so immediately interested in certain phases of the city's affairs. The members do not possess the abstraction and independence of the countern Commercial Congress at last session here to-day. The convergence of the convergenc

specified size to the New York am afraid, I have come to conclude vivania Company, it agrees my remarks recently with what I all merchantable pine that must repeat again—again at the risk ing to take all merchantable pine that must repeat again—again at the risk it could hardle in five years. There of saying something harsh. I think was a clause in the contract however, there is in this community a wide-that bound the company to out and response there is in this community a wide-that bound the company to out and response dissatisfaction because this move at least 10,000 cords a year.

ALLEGED FAILURE

TO CARRY OF CONTRACT

There of saying something harsh. I think was a clause the surface of the saying something harsh. I think was a clause in the community a wide-that bound in the contract however, there is in this community a wide-that bound in the contract however, there is in this community a wide-that bound in the contract however, there is in this community a wide-that bound in the contract however, there is in this community a wide-that bound in contract however, there is in this community a wide-that bound in contract however, there is in this community a wide-that bound in contract however, there is in this community a wide-that bound in contract however, there is in this community a wide-that bound in contract however.

ALLEGED FAILURE

TO CARRY OF CONTRACT

each of the years mentioned, failure to "There certainly can be no objectut reasonably low all pine trees so tion to the creation of a charter comas to leave no stumps exceeding mission to perform what this commit-twelve inches high, according to con-tract; failure to report 3,000 cords that had been cut and removed; failure to remove all pulp wood that had been converted and permitted it to decay or become injured; and other violations of the contract. the contract.

The court held that the contract was we will be no worse off than we are

tion took up the cudgel in defense of

the contract and lattice to somely gree of disappointment at the quality of the received at the mate sum.

PLAINTIFF MAY RECOVER especially true in its application to FOR INJURED WOOD the reform of the city's finances. Some members of the committee expected as-sistance on this point from the banker members of the cutzetis' advisory

ndivisible agreement. Failure to terninate the contract and the acceptance.

So I less than the stipulated amount operates, in the opinion of the court, as a waiver and stops him from recovery for its nonobservance.

It is the opinion of the court, how
It is the opinion of the court, how
OF RICHMOND FOR 1

on this committee, the remarks just made by the citizen member, began

**Mr. Chairmin, protested Citizen trial was the result of a controvers that this this in our of order. It was the result of a controvers that this this in our of order. It for one, did not come here to listen the conduct of affirm that this in our of order. It for one, did not come here to listen the conduct of affirm that this in our of order. It for one, did not come here to listen the conduct of affirm that this in our of order.

SOUTHERNERS INDORSE ALL WILSON'S POLICIES

ommercial Congress Gives Approval to Principles of National and

International Character. ANNUAL SESSION AT AN END

Plans for Nation-Wide Advertising Campaign in Interest of South and Steps Toward Presentation of "Peace Bell" Undertaken.

CHARLESTON, S. C., December 17 .-Indersement of all the "policies and principles of a national and internahal character announced by President " plans for a "nation-wide ad-g campaign in the interest of cupied the attention of delegates to the Southern Commercial Congress at its last session here to-day. The conven-

for co-operation of various Southern

The suggestion for a "peace bell" was made by Ben Altheimer, of St. Louis, United States Senator Fletcher, of Florica, president of the concrwas empowered to appoint a committee to pay for the bell by getting each schoolboy and girl to give I cent.

FOR AIDING THE ENEMPLOYED

Resolutions calling for Federal aptal lish joint offices for aiding the of Southern States and municipal of-ficers, after discussion of the question outhern Commercial Congress in dorses the plan.
Among the subjects indersed by the

ongress were: Inland waterways; national and State id for better nighways, efforts of the An orient Bar Association to "modernize" procedure and practice of courts; prganization of a "semiofficial national Agricultural Commissioners which there with the congress; laws for oseperative marketing; purchasing and redits societies for the benefit of American farmers.

The women's nucleary to the con- age.

The women's nucleary to the con- age.

North of here the storm cyclone agent ness adopted resolutions favoring leg-slation to abolish child labor, favorantile establishments employing womand co-operation by

RECOMMENDS SUSPENSION

Mr. Pellard, speaking with consider-able heat.

Wholesale Grocery Business in

CHARGED WITH CONSPIRACY TO BLOW UP WELLAND CANAL

Paul Koenig and Richard Lyendecker Arrested by Department of Jus-tice Agents in New York.

NEW YORK, December 17.—Paul Koenig, formerly head of the secret service of the Hamburg-American Line, and Richard Lyendecker were arrested to-night by agents of the Department of Justice, charged with conspiring to blow up the Welland Canal. Koenig was arrested in the offices here of the Hamburg-American Line. the war, he was in charge of the steamship company's nureau of investigation, but since then, it is charged, he has been the head of the German secret service in the United

declare they found there maps and declare they found there maps and the Welland Canal. Both CARGO FOR BELGIANS drawings of the Welland Canal. Both men are said to have admitted they had been along the border on the American side, but asserted that they did not cross into Canada.

Lyendecker claims to be an American

The latter took out his first citizenapplied for his second. The government agents say he has many aliases. Koenig, under the name of Stemmler, it was charged, was responsible for obtaining from Gustav Stahl the affidavit in which he declared he had always before she sailed on her last voyage. Stahl was convicted on a charge of parties and second from Vice-President and Mrs. Marshall, as convicted on a charge the deposed Queen of Hawaii and barage. Stahl was convicted on a charge of apples from Virginia. of perjury and sentenced to eighteen rel of apples from Virginia.

on peaceful inhabitant months in the Federal Prison at At-

AT LEAST FOUR KILLED IN MISSISSIPPI TORNADO FUE

least four persons were killed and a score more or less scriously injured as the result of a tornado which swept through several East Mississippi counties and passed into Alabama, north

ous structures destroyed or unroofed there. Near the town the tornado crossed the Mississippi Eastern Radisonal three times in a space of one mile and, continuing, struck Monasco and Bower, injuring several persons and lower, injuring several persons the space of the women to whom the idea of such markets and space of the space

struck Obidias and Cullum and swept into Alabama near Scooba. At Abadias the P and Cullum and in Geiger, Alac. in juries to persons and property are reported to have resulted. For nearly fifty miles north of Chadias, damaged buildings were said to mark the path of the ternado. Only meager details were obtainable to-night from the selections. It is a superson of the ternado of the te

PTOMAINE POISONING

Family of G. R. Crowder-Had Enten Turnips.

c) It Crowder, his wife and eleven- the Treasury and Mrs. McAdoo, and the ear-old daughter, of 1220 Willis I resident's only grand-daughter, treet, were afflicted with stomach. The Rev. Herbert Scott Smith, rector sear-old daughter, of 1270 Willis tresident's only grand-daughter.

Sivet, were afflicted with stomach poisoning late last night, and an older of St. Margaret's Protestant Episcopal girl of the family called in the City Church here, who is to perform the idospital services. In C. I. Cease responded. He found that the three directions. President Wilson will act to the beauty and golden.

over from dinner, and he believes that they suffered from promaine personing. Heroic treatment was administered, and when he left the home. Dr. Cease believed that the patients were out of

SALINATION CONTINUES AND THE CALL AND ADDRESS OF THE C dien't eat anything. I was put on a diet but it didn't seem to help me. My head hart me so had that I thought I vande zo crazy. I had that dull heavy like feeling and hart all the time. I bound Tanlae for a friend, but I used it myself. I haven't been bothered with headaches since. My stomach is stronger, and I can eat things that I couldn't their hefore. The ray on my stomach touch before. The gas on my stomach does not bother me any more and I feel much stronger than I was before, Washington, D. C.

To settle an estate it is necessary to lequidate THE P. H. SHEEHY CO.

and feel more like doing my own work. I recommend Tanlae to every one, because I know it is a good medicine."

What wreater miracle can be performed than the returning of health to people that have had a number of a liment, and is mentally as offered as a going concern, including a sturea, trademarks, etc. The building is offered for marks, etc. The building is offered for the wholesale grocery business. One 3157 to G. M. C. and one 1-too Federal Motor Track is offered with the business or separately. Full details will be furnished any one financially able to purchase.

The F. H. SHEEHY CO.

The building my own work. I recommend Tanlae to every one, because I know it is a good medicine."

What wreater miracle can be performed than the returning of health to people that have had a number of a line as Mrs. Pedrick had? And this same miracle can be performed in your case. Just go to one of the Polk Miller Drug Stores and get a bottle of Tanlae. Mr. Prince is always at the Broad and Third Street store, and he will gladly give you any informatiaon you may desire about Tanlae. Sold only at the Polk Miller Drug Stores. Price and feet more like doing my own work

Belgian Relief Steamer Beached

The Liverpool, With Cargo of Foodstuffs Worth \$1,400,000. in a Sinking Condition

has been beached on the English coast in a sinking condition, as a result of striking a mine.

The Levenpool, a British steamer, of 4,814 tons gross, sailed from New York Lyendecker was taken into custody at his office at 354 Fifth Avenue, where he has been selling antiques. The agents of the Department of Justice thence to Rotterdam.

VALUED AT \$1,400,000 NEW YORK, December 17.-The re- Russian warships several months ago lief steamer Levenpool, which struck destroyed a building flying the Ameri-

ALL ARRANGEMENTS FOR WEDDING MADE

(Continued from First Page.) ship papers ten years ago, but never ship papers ten years ago, but never of the Cabinet ladies, whose name is French artist. This was sent by one them are the following:

the President's daughters knelt at their marriages, will be used by the President and Mrs. Galt when they take their marriage vows at the altar. The ug is the property of the Peruvian amister, and Mmc Depezet, and is of

Score More or Less Seriously Injured and Considerable Property Damage Done.

MERIDIAN, MISS, December 17.—At least four persons were killed and a least four pe decorated with heavy silver embellish.

SPEAKER AND MRS CLARK SEND SILVER COMPOTE

ments

west of here. Two negro women and two negro children were killed in Glles, a score of persons were injured, and pecially worthy of note, the handsome nearly 100 buildings, for the most part silver compote for cake or fruit which to the large of the town. in the town.

Reports to-night indicated that the cyclone first appeared near Shubuta, forty-two miles south of here. Several persons were injured and numerous structures destroyed or unroofed of the Indian maid which is to be eral persons were injured and numer- of the Indian maid which is to be our structures destroyed or unroofed placed on Jamestown Island by the

and causing considerable property dam- a gift to Mrs. Galt occurred, and who have attended to the details of its pre-sentation, include Mrs. Ella Lorrain Dorsey, of Washington, president

TO ATTEND CHRISTENING OF THE MEADOO BABY

Most of the members of the wedding the White House at noon to-morrow nenths-old daughter of Secretary

sponded. He found that the three sponded. He found that the three members of the Crowder family were in a precarious condition, but, after laborious effort, he rescued them from danger.

It was stated to Dr. Cease that the Crowder family had eaten turnlys left the granding the Galt house during the form dinner, and he believes that

gents will go on duty about the in Richmond to-day under the Ulhean bouse early in the evening.

Details of the wedding trip were kept secret to-night, but it became Washington soon after the ceremony and to go to some point in the South. There will be no effort to keep their whereal outs.

whereabouts a secret. Guests from Richmond who will attend the wedding are wr. and Mrs. J. Wilson Howe, of 1414 Grove Avenue. Mr. LONDON, December 17.—The Belgian Relief Committee's steamer Levenpool, from New York for Rotterdam, has been beached on the English Relief Committee of the En

BUILDING FLYING U. S. FLAG DESTROYED BY RUSSIANS

Charge Against Czar's Warships Made in Official Publication of Turkish Government.

BERLIN, December 17 (by wireless to Sayville, N. Y.) .- The charge that The specific charge preferred against the men is violation of that section of the United States penal code which prohibits the planning within the boundaries of the United States of a military expedition against a foreign ternational law by enemies of Turkey, follows:

"The Turkish government has published reports concerning violations of international law by the enemy. Among

"On July 16 and 17 enemy airmen

peaceful inhabitants of Dikill, in

"On July 5 Russian torpedo-boats

Emanuel B. Ullman. Emanuel B. Ullman, president of the firm of Hermann Ullman, Inc., wine and liquor dealers, North Sixth Street, died

last night at 10 o'clock at his bound 2030 Monument Avenue. He was in his Mr. Ullman was for more than a quarter of a century engaged in the process business here. He was a mem-

ber of the several firms doing business



Savings Bank of Richmond

Same As National Banks 1117 E. Main St.

CA STATE OF THE ST

& SONS 215 East Broad Street, Expecting to go out of business, offer their stock

for sale.

Rugs and Carpets, Lace Curtains and Linoleums will be sold at low prices

to close them out at once. Christmas buyers will find it to their advantage to take notice.

Ammunicommunication of the state of the stat

name. He was a prominent figure in the business life of Richmond.

Berry's

The Gift Store for

Everybody

House Coats-

Sport Coats-

Bath Robes-

Holiday Displays.

of the recipient.

Full Dress Mufflers-

Four of the 101 appropriate

They cost you no more, although the Berry label stamps

Gift Things in our elaborate

them as "Sterling" in the eyes

Bring your Xmas list here.

O. H. Derry la

GEO. W.

ANDERSON

Arrangements for the funeral will

Publicity Department

Hopewell Chamber of Commerce, Inc. Hopewell, Va.

A public information bureau has been installed in the temporary Chamber of Commerce Building, Cawson corner of Hopewell Street.

All necessary information gladly furnished on request.

WRITE OR CALL.

Don't Forget Your Obligation to That Family.

Let your appreciation express itself in a Christmas gift to delight them all. As common property, it should decorate their home. Here are a few of many beautiful gift novelties we are showing

Dinner Chimes Tea Wagons

Card Tables Magazine Racks Banquettes

Linen Chests Music Cabinets Phone Tables Ferneries

> Smoking Sets Cellarettes

stant principal of INDIVIDUALITY.

Our stock is ever-changing, but adheres to the con-

Sydnor & Hundley, Inc.